

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RUSSELL E. BURNS, ET AL.,
Plaintiffs,
v.
JOHN HALOPOFF,
Defendant.

Case No. 13-cv-03968-YGR

**ORDER VACATING HEARING ON MOTION
FOR SUMMARY JUDGMENT IN LIGHT OF
BANKRUPTCY STAY**

Re: Dkt. Nos. 62

Plaintiffs Russell E. Burns, *et al.*, filed and served their Motion for Summary Judgment against Defendant John Halopoff ("Halopoff") on March 23, 2015. On April 21, 2015, Halopoff filed a Notice of Bankruptcy Filing and Automatic Stay. (Dkt. No. 70.)


In light of that Notice, this action is **STAYED**. The hearing on the motion for summary judgment, set for April 28, 2015, is **VACATED**. All other deadlines and hearing dates in this matter are likewise vacated.

The Court sets this matter for a compliance hearing regarding status of the bankruptcy at **9:01 a.m. on January 22, 2016**. Five (5) business days prior to the compliance hearing, Plaintiffs shall file a status report informing the Court of the status of the bankruptcy proceedings. If the status report has been timely filed, no appearance will be required and the compliance hearing will be taken off calendar. Telephonic appearances will be allowed if the statement has been submitted in a timely fashion and the Court deems the hearing necessary.

If Plaintiffs become aware that the bankruptcy stay has been vacated, modified to allow this matter to proceed, or terminated by dismissal of the bankruptcy action, Plaintiffs shall immediately serve and file a notice that the bankruptcy stay is no longer in effect and request resolution of the pending Motion for Summary Judgment.

IT IS SO ORDERED.

Dated: April 22, 2015


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT JUDGE